

Study Scope and Methodology

SB 1380 (Chapter 335/2000) broadly defined the study scope and the CDE's Request for Proposal more specifically delineated the scope. In addition, Senator Escutia's office provided the following problem statements and rationale for SB 1380:

Problem Statements

- "Student achievement in the southeast area of the district is very low. Of its 35 schools, 21 scored a 1 out of 10 on the recent API rankings; 13 scored a 2; and only one school scored a 3."
- "The southeast area of the district is home to some of the most overcrowded schools in the state. The average size of an elementary school there is 1,360 students, average middle school enrollment is 3,320, and average high school enrollment is 4,385."
- "The community has expressed an interest in decentralizing decision making in regard to facilities, curriculum, and management of schools in this area."
- "A closer look at this area of the district is needed to develop possible remedies to these problems."

Solution

- "SB 1380 would authorize the State Department of Education to conduct a study to determine the feasibility of creating a new district to encompass those schools in the southeast area of the current LAUSD."
- "The department would be required to report its findings to the Legislature."
- "The area includes the cities of Bell, South Gate, Cudahy, Maywood, Huntington Park, and Vernon, and the unincorporated areas of Florence/Graham and Walnut Park."
- "The study would determine the potential benefits and disadvantages that would result from such reorganization."

In order to achieve the study objective and meet the requirements of SB 1380, NNW performed the following tasks:

Evaluating Each of the State's Nine Criteria
Education Code Section 35753

NNW evaluated each of the State's nine criteria for unification to determine if the criteria will likely be substantially met. The State's nine criteria that must be substantially met are:

1. The new district is adequate in terms of number of pupils enrolled (i.e. pupil enrollment is 1,500 or more).
2. The district is organized on the basis of a substantial community identity.
3. The proposed unification will result in an equitable division of property and facilities.
4. The proposed unification will not promote racial or ethnic discrimination or segregation.
5. The proposed unification will not result in any substantial increase in costs to the state.
6. The proposed unification will not significantly disrupt the educational programs in the affected districts and will continue to promote sound educational performance.
7. The proposed unification will not result in a significant increase in school housing costs.
8. The proposed unification is not primarily designed to result in a significant increase in property values.
9. The proposed unification will not cause a substantial negative effect on the fiscal management or fiscal status of the proposed districts or any existing district affected by the proposed unification.

NNW gathered data from LAUSD, publicly available reports and interviews for our study analysis.

Emphasis on Overcrowded Facilities and Low Student Achievement

The two most significant areas of concern cited were school facilities and pupil achievement. The concern with overcrowded facilities is addressed within Criterion #7, School Housing, and the concern with pupil achievement is addressed within Criterion #6, Educational Programs. Additional conditions were also addressed including: the impact on employee's rights and contracts, opportunities for administrative and operational effectiveness and efficiency, potential fiscal benefits, the impact on LAUSD, opportunities for collaborative efforts, the potential for open enrollment, opportunities for decentralized decision-making and the potential for educational and pupil services gains.

Evaluation of Applicable Hayden Requirements
Education Code Section 35730.1

Any new district created from the territory within a school district with more than 500,000 pupils (i.e. LAUSD, as currently organized) must meet the 10 conditions found in EC Section 35730.1, known as the Hayden requirements (after the legislative author). The ten requirements are:

- a) Socioeconomic diversity.
- b) Geographical compactness.
- c) Equity of resource distribution.
- d) Compliance with Crawford v. Board of Education, 17 Cal. 3d 280, and the terms of the consent decree in Rodriguez v. Los Angeles Unified School District, Consent Decree # C-611358.
- e) Preservation of policies used by magnet schools, charter schools, site-based management initiatives, and the LEARN program as those policies exist in practice or pursuant to law.
- f) Compliance with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).
- g) Compliance with the Federal Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended.
- h) The formation of the new school districts does not result in the diminution of minority protections.
- i) The maintenance of the conditions of all collective bargaining agreements until their expirations.
- j) Recognition of the existing retiree health, dental, and vision care benefits.

However, in a memorandum, dated December 20, 2000, from Roger D. Wolfertz, Deputy General Counsel of the CDE, "only the first two Hayden criteria – relating to socioeconomic diversity and geographical compactness – may reasonably be analyzed prior to the formation of new districts. The remaining criteria are requirements that can be met only after the new districts have been formed. Thus, it is the responsibility of the governing boards of those districts, subsequent to formation, to ensure that the requirements are met..."

NNW has addressed the first two criteria of socioeconomic diversity and geographical compactness within this study. However, NNW has also considered the potential effects of the Hayden criteria in our evaluation of Criterion #9, Fiscal Status and Management. Maintenance of collective bargaining agreements until expiration and recognition of retiree benefits both would have a potential fiscal effect on the new district.

Of added interest in Roger Wolfertz's memorandum is that requirement #3, Equity of Resource Distribution, actually "requires that the newly created district

equitably distribute resources within that district.” In other words, there is no requirement that the new district continue, post-reorganization, to match the resources of the former district – a fiscal concern raised in the Los Angeles County Committee’s study of the San Fernando Valley proposals.

Community Meetings and Input

NNW, as part of the study scope, is to conduct community meetings for the purpose of identifying community concerns, positives about LAUSD and interest in reorganization. Two meetings were held on November 14 and 29, 2001. In addition, NNW met with Senator Escutia’s staff, the Southeast Cities for Educational Empowerment (SECEDE) committee, LAUSD administration, the United Teachers of Los Angeles (UTLA) and the Los Angeles County Committee on School District Organization in order to gather data and solicit input.